

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHARLES BRESLIN, et al.,	:	CIVIL ACTION
Plaintiffs	:	
	:	
vs.	:	NO. 1:09-cv-1396
	:	
DICKINSON TOWNSHIP, et al.,	:	
Defendants	:	

ORDER

AND NOW, this 21st day of February 2013, upon careful and independent review of the defendants' motions for summary judgment (Documents #195 and #201), the plaintiffs' responses thereto (Documents #211, #212, #213, and #214); and after review of the thorough and well-reasoned Report & Recommendation of the Honorable Martin C. Carlson, United States Magistrate Judge, and a *de novo* review of those portions of the Report & Recommendation to which objections have been filed, it is hereby ORDERED that:

1. Defendant Jones' objections are OVERRULED;
2. The plaintiffs' objections are OVERRULED;
3. The Report & Recommendation is APPROVED and ADOPTED;
4. The motions for summary judgment is GRANTED in part, and DENIED in

part, as follows:

- (a) Summary Judgment is GRANTED on the following claims:
 - (i) all claims made by Plaintiff Paul Cunningham;
 - (ii) all substantive First Amendment claims, except for the plaintiffs' claims arising out of the actions of Defendant Jones on December 8, 2008; and,

(iii) all First Amendment retaliation claims relating to the processing of state Right-to-Know law requests by the defendants.

(b) Summary Judgment is DENIED as to any substantive First Amendment or First Amendment retaliation claims relating specifically to Defendant Jones' actions on December 8, 2008.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.